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### Lessons from the Arab Spring: Pathways to Democracy after the Revolution in Tunisia, Egypt and Libya

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# **Lessons from the Arab Spring:**

Pathways to Democracy after the Revolution in Tunisia, Egypt and Libya

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**Thesis 2015**

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**August 1/2015**

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## Chapter 1

### Topic:

Several factors sparked the revolutions in the Middle East known as the Arab Spring. The Arab Spring is defined as a cluster of uprisings that took place in 2011 in the Middle East and North Africa Regions (MENA); Tunisia, Egypt, Yemen, Bahrain, Libya, and Syria, leading to changes in the status quo of the government. Some of these factors include: the lack of political inclusion, lack of jobs, corrupt governments, poverty, decline of the economy, and the lack of basic human rights. Tunisia is the first country in the Middle East to start a revolution, which led to a domino effect throughout the Middle East. While there have been a few successes in bringing about democratic changes, the vast majority of the revolutions have been marred in violence and brutality. What explains variations in post-Arab Spring democratic changes in the government?

I look at the following case studies; Tunisia, Egypt, and Libya, where all three nations were able to compel their country's dictator to leave office in a similar process and shared justifications, yet the outcome could not have been more different. These case studies were chosen specifically because of the complete leadership and government changes that took place during the Arab Spring. Bahrain and Syria still have same leadership post revolution as they did before the revolution, albeit with reduced control over the government. For Yemen, the situation is much more complicated. It could be said that the revolution is still ongoing, which has now turned into a civil war between Sunnis and Shias. Newly elected, El Hadi, had little control over the government, which was, and continues to be, a battlefield between the various sects and their international backings (Kamrava 2014).

According to the Ibrahim Index of Governance in African countries in 2014, Tunisia is currently ranked number 8 with a score of 66 out of 100, an increase of 2.2 points from 2009. Egypt has dropped to number 26 with a score of 51.1 out of 100, a whopping decrease of 8.1 points from 2009. Libya earned a score of 42.1 with a decrease of 7.4 points from the 2009 data. According to Stepan 2012, “Only Tunisia could be unambiguously said to have completed its transition [to democracy]” Tunisia’s transition was completed in a record time of a mere ten month after the fall of its dictator Ben Ali. Its newly elected government was both legitimately elected and possessed the capacity to rule (Brownlee 2015). Why has the Arab Spring succeeded in creating a sustainable democracy in Tunisia and Failed in Egypt and Libya?

In the book, Political Research: Methods and Practical Skills, the minimum procedural definition of the word ‘democracy’ that will be utilized in this data is: **Government Effectiveness** (elected, inclusive, participatory, representative), **Control of Corruption** (Absence of massive fraud), **Press/ Voice/ Accountability** (effective guarantees of civil liberties; including freedom of speech, assembly, and association), and **Rule of law**. This will be the criteria upon which this paper will judge the success of the revolution in establishing democracy. Although not every subtype of democracy meets all these requirements, the book refers to these subtypes as varying “degrees” of democracy. There has been much controversy over the fact that a democratic system cannot be a “half” democracy, and the measure of democracy should be dichotomous rather than having various degrees. The book continues by explaining that there are essentially two levels of democracy: a “thin” definition in which governments are selected through election or a “fuller” definition based on civil and political rights (Halperin, 152).

**Government Effectiveness** is important in democracies because it includes the establishment and consolidation of inclusive and accountable government to advance freedom,

dignity and development. According to USAID the main goals of good governance are: promoting participatory, representative and inclusive political processes and government institutions, and fostering greater accountability of institutions and leaders to citizens and to the law. All these components are important in democratic systems. According to Trout (2011) political inclusion is needed for a country to be able to fulfill the ideals of democracy. Successful effective governance is achieved by creating the feeling of government legitimacy among citizens through inclusion into government institutions (Trout 2011). According to Shelef (2013), democratic inclusion has been linked to the moderation of extreme parties. By including different parties with opposing views can result in moderate outcomes that can lead to effective governance (Shelef 2013). Buck (2008) says, “Liberal democratic societies are characterized, in part, by their pluralism—a positive recognition of diversity. Rather than viewing diversity as an unfortunate condition that we should hope to overcome, liberal democracies aim at making a home for different ways of life and wide-ranging value commitments” (Buck 2008)

**Freedom of expression** is one of the most basic human rights. According to the Universal Declaration of Human Rights, freedom of expression is the right of every individual to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. Freedom of speech and expression is crucial and is an important pillar in a democratic society. A society can make its own decision only through information flows that are formed through aggregate open exchange of opinions. It allows society to keep a watchful eye and control over the state, which is an important component for democracy. Main functions of mass media are to cover the events, investigate and collect information, and watch over the activities of state authorities. Once a society has control over the state authority, it allows the participation of that society in the affairs of governance, leading to

democracy (Syolik 2014). Byrden (2013) studied the importance of academic freedom on democracy. Academic research and writing that can produce controversial results to governments has been under fire with increasing threats of censorship on key policy-area research. Writing and research that can promote certain opposing policies for the government is targeted by censors to freedom of expression. The article offers several case studies in the fields of climate change and other “hot-button” issues. It then concludes by saying that freedom of speech and expression is crucial to the writing of researchers that seek to effect policy changes. This is an important right for democratic nations (Byrden 2013).

**Control of Corruption** is another aspect that the book, Political Research: Methods and Practical Skills by Halperin, determines to be an important part of the minimal procedural definition of democracy. There has been some slight variation on this subject of research in recent years. Goel and Nelson (2005) find that corruption declines with the increase of civil liberties that are associated with democracy. In another study conducted by Vanhanen’s (1992), he found that the democracy index increases with the decline of corruption in a nation. In Triesman (2002), he has determined that the number of years that the country has been democratic is crucial to the reduction of corruption. From a slightly varied conclusion in this research, Mohatdi and Roe (2003) determined that corruption actually rises first within a newly created democratic state before eventually declining as the number of years of democracy increase and solidify. The reason for this is that once the centralized government falls apart, the lack of strong checks and balances and transparency provides rent-seekers with increase access to public officials and opportunities in taking advantage of the public sector without it coming to light. As democracy matures the probability of a public official getting punished increases and deters bribes and corruption.

**Rule of Law** is another important component in democracy. It is the degree of which agents have confidence in and abide by the rules of society. According to the General Assembly, Rule of Law means that laws are applied to all individuals equally and, on an international level, to all states and international organizations equally. “All persons, institution, and entities, whether public or private, are accountable to just, fair, and equitable laws without any discriminate to equal protection of the law...Rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal indivisible core values and principles of the United Nations” (General Assembly res. 67). Akech (2013) researched the importance of rule of law in strengthening democracy in Africa. He determined that the administrative law norms, increasingly present in constitutions, judicial decisions, and international norms, have been instrumental in deepening democracy in Africa. In Fukuyama’s, “Why is Democracy is Performing so Poorly?” he determined that failure to establish basic institutions of the state and rule of law are the main reasons for setbacks in democratic states. States need to spend more effort in improving the quality of rule of law in order to establish the legitimacy of democracies (Akech 2013).

#### *Defining Arab Spring:*

The Arab Spring is defined as a cluster of uprisings that took place in 2011 in the Middle East and North Africa Regions (MENA); Tunisia, Egypt, Yemen, Bahrain , Libya, and Syria, leading to changes in the status quo of the government. The uprisings were fueled by the high unemployment rate, poorness, rising prices of food and gas, and the disappearance of the middle class. Additional political motivations are: the lack of free speech and participation in political and civil life, long-lasting "emergency laws", and a nonexistent justice system (Suwailem 2014).

Literature on the aftermath of the Arab Spring has been relatively scarce due to how recent the events of the revolution are and it might take many more years to be able to truly understand the effects it had on the nations of the MENA region and on the world. Some articles out there have attempted to tackle the factors that have led up to the revolution.

The article, “*Understanding the Success of Mass Civic Protest in Tunisia*”, outlines some of the conditions that need to be present for a revolution to take place. Some of these conditions include: massive sustained protest that cannot easily be put down by police forces, a large diversity of the different sectors in the revolution, a large population of youth, a combination of religious and secularist populations, and involvement of social media. In the case of Tunisia, Michelle Angrist concluded that there are additional factors that have led to the onset of the revolution. Some of these factors include the determination that the possibility of Islamists potentially holding power has become far less frightening than that of Ben ‘Ali continuing his current regime. Second, Tunisia’s UGTT party has continuously helped to sustain the protest. Third, assistance of the army was also instrumental in the success of the revolution. Tunisia’s small army has always been marginalized by Ben Ali so when he finally turned to them for support during the revolution, he was turned down. Fourth, Ben Ali has been continuously losing support of sectors of the population that have traditionally been his ally. These sectors include women, small business owners, and the RCD. The combination of all these factors coming together can lead to a sustained revolution, and more specifically in Tunisia (Angrist 547- 60).

According to the article, “*The Civil Codes of Libya and Syria: Hybridity, Durability and Post-Revolution viability in the aftermath of the Arab Spring*,” Libya’s institutional deficit has contributed to the ongoing conflict and threatened regional stability. The author believes that the only way to resolve these conflicts is for the international community is to “rebuild the



architecture of governance...restoration of rule of law, dispute resolution, and core government functions” (Stigall 283-290).

Another article, “*The Arab Spring: A quantitative Analysis*”, attributes the main reason for large scale social destabilization, such as in the case of the Arab Spring, to the lack of ability of the government to reduce social tensions and its appearance of lack of "immunity" to internal conflict. It down plays external influences and pressures, except in the case of multiple deaths by the regime (Korotayev 149-155).

The article, “*Arab Spring in Tunisia, Egypt and Libya: A Comparative Analysis of Causes and Determinants*”, studies the differences in causes that led to the uprisings in Egypt, Libya and Tunisia. Findings show that the inability of governments in these affected states to respond adequately to the growing demands of “political inclusion, good governance, job creation and policies of inclusive growth” led to the spark that caused the revolution in these countries. The article acknowledges that the nature of each of the revolutions is dependent on the nature of each ruling regime, economic, political, environmental factors, and depending on the degree of civility in surrounding environment (Ogbannaya, 14-20).

The article, *Democratization in the Middle East and North Africa: Perspectives from Democracy Support*, by Burnell (2013), discusses the prospects of the Arab Spring creating a sustainable democracy and highlights international support as the drive that can make that possible. This includes diplomatic initiatives, technical assistance, and financial transfers to pro-democracy organizations. The author explains that International support needs to be the determinant of political change and not simply driven by that change. Although the author acknowledges that international support has not always been successful in building better or

more sustainable democracies in the MENA region it is still very influential in determining the trajectory of a country towards a pro or anti-democracy (Burnell 838-855).

In a study by Svulik 2005, it has been difficult for democracy to succeed in newly established democratic nations because of the expectation and burden that is placed on the first democratically elected leader. Therefore immediate changes must be made in order to appease the general masses. Failure to see immediate improvement will lead to disillusionment with the democratic process and additional uprisings. Changing the perception of the newly elected leader and government, by including a variety of groups and minority parties into the institutions, allows the appearance of an immediate democratic government. (Svulik, 685).

While there are an abundance of articles studying the events taking place before the revolution that led to mass protests, there seems to be a deficit in studies on the aftermath of the Arab Spring. It is important to understand why the Arab Spring was successful in Tunisia in establishing a stable democracy, while failed in many other nations such as Egypt and Libya, who have undergone the same revolutionary process. It is important to understand how and where those processes diverged during the transition process in these nations. What specific factor from the post revolution governments has allowed Tunisia to succeed where other nations in the MENA region have failed? This is what this research aims to add to the information pool.

## **Hypothesis:**

Countries with more effective governance through inclusive government institutions are more likely to experience post-revolution democracy.

## **Methodology:**

This paper will test the changes in the above variables pre and post Arab Spring on the three case studies in order to determine which variable led to the establishment of democratic principles, as defined in the literature review. Using qualitative data, this paper will present evidence through current events and examples surrounding each variable for each of the case studies before and after the revolution. Looking at the changes that took place in 2010-2014 will be crucial in determining what is the specific factor (s) that allowed Tunisia to maintain a fairly successful and stable democracy, while Egypt and Libya relapsed into chaos.

Using the percentile scores provided by the World Bank for the three case studies for the year 2010 and 2014 across the above indexes we will examine trends in our variables to see where the case studies stand before, during, and after the revolution. For a valid conclusion to be drawn, there must be deterioration in a particular index in Egypt and Libya, while an improvement or, at least no change, for that same index in Tunisia. In order to establish a pattern, there must be a significant decrease in both Libya and Egypt, and not one or the other. If there is a decrease in the variable in one country and not the other, it will not be possible to confirm that it is the cause of the failure of democracy since it could be a mere correlation and not causation. Any variable or condition that has deteriorated post revolution must be present in both Egypt and Libya in order to establish a pattern. The paper will also utilize several other indexes such as: Freedom House and Abraham Index of Governance. Ideally, we want our data to look something like this, with Tunisia being the red line and Libya and Egypt being either the blue lines.

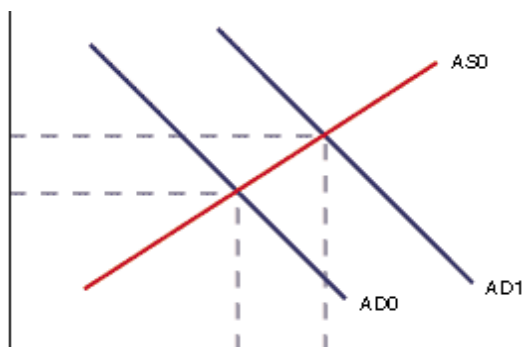


Figure 1. Example of expected trend

### *World Wide Governance indicator*

The World Wide Governance indicator consists of six separate indicators of governance that are also utilized by the Ibrahim Index of Governance. These indexes are Voice and Accountability, Rule of Law, Control of Corruption, and Government Effectiveness. Governance is defined as the traditions and institutions in which authority is exercised. These governance indicators are derived from 32 underlying sources, giving this data high credibility. With each data, the margin of error is generated along with a link to the 32 sources where the data is derived.

## **Chapter 2: Background**

For the effects of the Arab Spring to be understood, we must first understand the circumstance that led up to the revolution in Tunisia, Egypt, and Libya. This chapter will discuss the events that took place before and after the revolutions in order to put the study in context. In all cases, the revolution was fueled by corruption, unemployment, and low standard of living. The next four chapters will then take each variable, as discussed in the literature review, and apply it to each case study in the context of the events discussed in Chapter 2

### *Tunisia*

In the case of Tunisia, President Ben Ali, was trying to bring the Tunisian economy into prosperity by attempting to privatize banks and industries. However, these changes were limited

and Tunisia's stock failed to attract foreign investments. Major Banks remained under state control. Ben Ali and his family preyed on the profits of the privatization of state assets rather than allowing job creation. The dissent of the Tunisians began in 2008 with unemployment related riots but the demonstrations were quickly suppressed by the Ben Ali's government (Bingol, 2013). However, in 2011, "one of the most important and effective revolts in Tunisian history was the Sidi Bouzid People's revolt for jobs and bread", dubbed by the Western media as the "Arab Spring" and in Tunisia as the "Jasmine Revolution" (Angrist, 547). Driven by unemployment rate, poorness, rising prices of food, and human rights violations, the Arab Spring became a source for hope in Tunisia and the rest of the Middle East.

The main concern after the revolution in Tunisia, as was the case with the rest of the MENA countries, was to revive the dying economy while seeking external financial support for domestic stabilization. Faced with harsh economic constraints and entanglement in the web of western dependency created by Ben Ali's government, there were relatively few options available to the newly formed Tunisian government. Although sympathetic to the cause of the Palestinians, Morsi in Egypt, and Erdogan in Turkey, the Islamist Enhadha party of Tunisia refrained from offering any support or association with the Islamic cause other than in rhetoric. Fear of alienating their Saudi and Gulf partners as well as potentially losing much needed financial support from the EU and the US prevented any substantial changes from taking place (Hinnebusch 2014).

The new transitional government, formed after the revolution by Mohammed Ghannouchi, banned any and all members of the ex-ruling party RCD from further participation in governance. On October 23, 2011, elections to constitute the first assembly after the revolution took place. The results of the elections are as follows: 89 seats for the Enhadha Party (Moderate Islamists), 37 seats for the Congress Party for the Republic (Leftist Party), 29 seats for

the Demands of the Public Party (promoting democratic reforms, human rights, presidential system), 26 seats for the Democratic Forum Party (Socialist Party democrats), 20 seats for the Progressive Party and 37 for the other parties and the lists. Moncef Marzouki, a human rights activist, was elected president (Angrist 2013)

President Moncef Marzouki met with President Morsi of Egypt after the revolution and pledged an integration that is as strong as the “European Union”. But despite a mutual rejection for military intervention in Syria and support for Palestine, the Tunisian government was unwilling to take a more radical stance or present a stronger outward Islamic front, as Morsi has done. The Enhadda leadership pursued a policy of compromise with its secular partners in the assembly and carefully differentiated itself from the Muslim Brotherhood (Hinnebusch 2014). This is a key a point that will differentiate the fate of both nations, as will be discussed in the following chapters.

Tunisia looked to the Islamist Justice and Development party in Turkey as a model in its compatibility between religious Islamic rule and western democratic and economic success. Tunisia thought to further build on the support and enthusiasm that Erdogan had for the uprising. Turkey responded with early grants mounting up to \$100 million, increased credit lines, increased import quota, project assistance for development, tourism, and security reforms. However, by June of 2013, Erdogan was seen by the Turkish people as imposing a partisan islamist policies and attacking opposition activists. Enhadda then tried to put some distance between Erdogan and its new government. In relations with the Maghreb states, the Enhadda party had no choice but to support the military junta in Algeria in an effort to secure its own borders and to reduce concerns of the Enhadda’s complicity for some regional Islamic conspiracy. These same constraints prevented the new government from making any stances in

the Palestine-Israeli conflict. Although it reaffirmed Tunisian support for Palestine it was careful not to associate with any particular factions, putting to ease any concerns that Israel would be criminalized in the new constitution (Hinnebusch 2014).

Once again Tunisia has no choice but to turn to Europe as the key to the revival of Tunisia's economy. Tunisia thought to rebalance the relationship from subordination to a more equal relationship. In 2012, Tunisia won "privileged partner" status with Europe where they pledged support for a new plan that will support the democratization process and open its economy even more to Europe for the years 2012-2017. This new relationship with Europe offered hope in rebuilding the crippled Tunisian economy while providing markets for Europe (Hinnebusch 2014)

### *Egypt*

The transitional Egyptian government in Egypt faced the same entanglements with the West as has the Mubarak government. Egyptian politicians were caught between the sentiment of the public to refuse dependency on the United States that serves Israel's interest and the desperate need for funds from the US and the IMF to sustain its bloated military and keep the crippled economy afloat. Egypt was torn by the desires of the different factions that participated in the revolution; youth, leftist, Copts, secularists, islamists, and the military. This struggle led to the balancing with and against rival factions since each perceived that the main security threat came from each other and instead looked outwardly for external support. This invited intervention by external actors that tried to meddle in the affairs of the new government; The United States funded the liberals and the military, Qatar the Muslim Brotherhood, and Saudi Arabia the Salafis, giving all of them a stake in the new government (Hinnebusch 2014).

Morsi's election to presidency was expected to bring about more drastic changes than it actually did. In rhetoric, he certainly rocked the boat in terms of stirring controversy with the United States and Israel. In a visit with Washington, Morsi implied that further support of Israel would be dependent on the United States upholding its commitment to Palestinian self-rule, as discussed in Camp David. Morsi did attempt to diversify Egypt's economy by visiting an array of countries in seeking economic assistance. Egypt dramatically strengthened its economic relationship with Qatar. In addition, he visited Tehran to attend the summit of the Organization of Islamic cooperation and lifted the ban on Iranian tourist to Egypt (Hinnebusch 2014).

Morsi's complicity in Israel's blockade of Gaza put a major blow in his legitimacy. Constraints by the military-security establishment that was keen to avoid taking on the responsibility for Gaza, prevented Morsi, who was otherwise sympathetic to Hamas from taking any significant actions in the conflict. Morsi sent his prime minister to Gaza, recalled the Egyptian ambassador from Israel, and organized anti-Israel demonstrations. Yet with his hands tied, he could not take any further actions against Israel. His attempt to ease the siege on Gaza and his encouragement of Anti-Assad militants was one of the triggers for his ousting by the military in 2013. With Morsi's fall, there was a return to the pre-revolution "Mubarak" regime without Mubarrak (Hinnebusch 2014).

### *Libya*

Qaddafi's four decade rule has survived every blow from military strikes to international isolations to internal attempts at coups. On February 15, 2011, the demonstrations began against the regime in Libya that gripped Qaddafi by surprise. The revolution began in the city of Cyrenaica, where most of the oil facilities were located. Angered by corruption and delays in



building public houses and welfare programs, protesters turned to violence and seized public buildings. Citizens attacked Tripoli's TV station, the justice ministry, police stations, and People's Congress hall. Gaddafi sent the minister of interior to Benghazi to reinforce the army, but instead defected and became head of the rebel. Unlike Egypt and Tunisia, the rebels and Libya could not succeed in defeating Gaddafi on their own. International intervention was the key to the seizure of the country by the rebels. (Lesch 2014).

The bloody uprising ended with international intervention in Libya leading to post Qaddafi order. However, Libya's situation was a bit different than Egypt and Tunisia in that it had a weak civil society and nonexistent political parties but still holds a tremendous amount of petro-dollars to buy off dissidents. Within a few months, the country held its first democratic election and the National Transitional Council came into power. However, weak institutions made it impossible for the new government to hold power and most opposing discussions took place on the battle field rather than in the government (Hinnebusch 2014).

As can be seen through this chapter, each uprising took place for the same reasons. However, the events after the revolution unfolded quite differently. In the next four chapters, this paper will look at how these events and backdrop affected the attempts at democracy. Now that the study has been placed in historical context, we will now begin looking at each aspect of democracy: Government effectiveness, Voice and accountability, Rule of law, and Control of Corruption, to determine which factor led to Tunisia's success in establishing a democracy and the failure of Egypt and Libya. The next four chapters will take a look at each variable in more depth.

## Chapter 3

### Government Effectiveness

The first factor that will be addressed in this paper is Government Effectiveness. In the following case studies, all three nations were able to compel regime changes in their countries however, not all nations were able to complete the transition. Within ten month, Tunisia was able to elect a constituent assembly, which then gave rise to a democratic legislative and executive. It was much more difficult to make that case for Egypt and Libya. Could government effectiveness be the reason for Tunisia's success and Egypt and Libya's failures? In order for that to be true, Tunisia must show effective governance, while Egypt and Libya will fail (Cinar 2012).

Government effectiveness is defined by the World Governance Indicators for the World Bank as the “quality of public services, the quality of the civil service, and degree of its independence from pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies”. For effective governance to be possible, two stages must take place; *completion* of a post revolution elected government and *maintenance* of that government for the long term. For a government to be considered effective, it must at least pass those two basic phases. The completion stage, as discussed above, includes democratically elected government and the state capacity to carry out the will of the elected government. All three case studies did hold some sort of elections for a new government, however, Libya couldn't bestow on its government centrality or state enforcement capacity to carry out its power (Brownlee 2015).

Libya struggled with the completion phase as well but not for the lack of elections. Libya managed to hold two separate “democratic” elections for parliamentary bodies; however, those bodies have relatively little governing powers. Libya has continued to struggle with its weak

army and police forces. Its revolutionary armed groups maintain autonomy from the official government, which makes its officially “elected” government ineffective at doing any real governing. Libya’s central state institutions can do little to stop the increase of militia groups within its borders. Battles between rival militia groups in Benghazi and Tripoli have pushed the country further into chaos and making any real progress towards democracy difficult in a stagnant government. According to Linz and Stepan (2011), “without a usable state, there can be no safeguards for human rights, law and order, consolidated democracy, or effective governance”. Therefore, simply holding an election in Libya has no relevance if the body elected has very little power. There needs to be a combination of democratically elected government and a functioning state with power in order for a completed post revolution government to take place (Brownlee 2015).

The ability of a state to be capable of holding power after a revolution is due to the strength of the opposition group to force the incumbent group to either step aside or hold new elections. In the case of Libya, the victory of the opposition group was due, in a very large part, to the interference of the international community. Without the international community propping up the opposition, they might not have ever been able to overwhelm the incumbent government. Second, certain development factors that strengthen civil society have been lacking in Libya due to geography, economic development, and even colonial history. According to Owen (2004), borders in the Middle East were created by colonial powers at arbitrary locations rather than by ethnic or nationality divisions. Therefore, as discussed in the previous chapter, peoples’ loyalty fell with transnational identities rather than to specific nation. This has been even more prevalent in Libya because it is constituted of more fragmented tribes and minorities who didn’t necessarily owe any allegiance to the nation of Libya. This continued until modern day Libya and the leadership of Qaddafi. Qaddafi’s policy of “statelessness”, which was

designed to keep the country fragmented to deter opposition, carried a really strong effect on the events after the revolution. Qaddafi outlawed political party, unions, and repeatedly reshaped the military to prevent the emergence of a professional military. This state that was so divided and disunited before the revolution couldn't easily become united after the revolution. This can only be possible with a tremendous amount of revenue and external support. Therefore, Libya's lack of ability to complete the transition phase to democracy is due to the state's incapacity leading to ineffective governance (Brownlee 2015).

One can make the case that Egypt has finished the *completion* phase with the election of Morsi that was then reversed by the military coup, or say that Egypt has never completed that stage at all. In January 2012, Egypt elected a parliament that was subsequently dissolved by the Supreme Constitutional Court six month later in preparation for the first presidential elections. When it became apparent to the military that Mohammed Morsi, representing the Muslim brotherhood, was going to win the presidential elections, it moved to make itself the legislative body to the executive branch. This hybrid military/elective rule created friction in the newly established government, making it relatively inefficient in the face of the multitude of adversity that lay ahead. It was not until August 2012, until Morsi was able to negotiate with the military in taking all the legislative power unto him. This was the only point in the process where one might make the argument that some sort of a democratic government was established, at least in the sense that both the legislative and the executive branch where "elected". However, consolidating both branches into one individual is a far cry from democracy, resembling a lot more to a dictatorship. But for the moment, it can be assumed that Egypt finished the completion phase when it held the election for president Morsi and gave the government and the state the capacity to carry out those powers (Brownlee 2015).

The next step is the *maintenance* part of the transition government. Even if a case can be made that Egypt finished the *completion* phase by holding elections with the state capacity to enforce such powers, it certainly failed in the *maintenance* phase. In this stage, Tunisia managed to succeed in maintaining its newly elected democratic government, while Egypt regressed into a military dictatorship. This has to do largely with the ability of Islamist and secularist to work together and compromise on their differences in Tunisia. These same differences in Egypt resulted in intense friction that eventually culminated into a military coup. In June 2012, the Egyptian judiciary dissolved the parliament and a year later, the military removed the first democratically elected president (Brownlee 2015).

There are several reasons for this discrepancy between Egypt and Tunisia in maintaining the government. In Egypt, there were several procedural deficits, such as lack of transparency in decision making, tight deadline for creating a new charter, and lack of attention towards inclusion of minority and secular groups in the transition process by the Supreme Council of Armed Forces. When Islamist and non-Islamist parties believed that they have no other choice but to work together, they were able to create lasting democratic government to withstand the hardships that will follow. According to the book, The Arab Spring: Pathways of Repression and Reforms, by Brownlee, The Supreme Council of Armed Forces made a series of bad and incoherent decisions that have led the country into confusion. Although unintentional, the haste decisions of the Armed forces, without input from experts, led to a variety of terrible consequences. Some scholars refuse to believe that these decisions by the armed forces were “unintentional” and instead believe that the military was used to being the political Supreme and was not happy about having to share power with a democratically elected president. Some even go so far as to believe that the military has been carefully constructing the return to

authoritarianism ever since the days following the fall of Mubarak. In a well written article by Egyptian scholar, Joshua Stacher, he says:

*“The Supreme Council of Armed Forces is disproportionately in charge and it is disproportionately to blame for how the transition has been structured. Whether by initiating new laws against protests, strategically deploying military trials against activists and opponents, continuing to apply Emergency law, devising electoral laws that encourage social fragmentation, framing clashes with sectarian hue, or intimidating and censoring the press, Egypt under the Supreme Council of Armed Forces represents an attempt to continue the practices of the Mubarak era despite the social changes unleashed by the revolution’s popular mobilization”.*

The Tunisian military differed sharply from the Egyptian one. Instead of conspiring to reverse the revolution, or at least “unintentionally” creating chaos, the Tunisian military opted out of politics all-together. The Tunisian military kept out politics and the economy in order to allow the transition to democracy to take place. This lack of a military overlord has made maintenance of the progress made in the completion phase possible. These differences in military can be attributed to the sheer size of the military force and the amount of money spent on the military of Egypt when compared to Tunisia. The Egyptian military consists of 835,000 people with about 11 soldiers for every one thousand inhabitants. The Tunisian military consists of only 47,800 people with a ratio of 5 soldiers per 1000 inhabitants. In 2010, Egypt spent a total of 4,560 million dollars on its military forces while Tunisia only spent 534 million dollars on its forces. The magnitude and size of the Egyptian military has naturally made it into a stronger presence that couldn’t easily be pushed aside (Brownlee 2015).

In addition to the military’s interference, another factor that played a role in the divergence between the fate of Tunisian democracy and Egyptian democracy is the actions of political party leaders. The Tunisian majority party, Ennahda, understood the importance of compromise, as discussed in the last chapter, to its own well being and future goals. Tunisia’s

elites were committed to dialogues and democratization and to the “principle and practices of inclusiveness”. Morsi and the Muslim Brotherhood didn’t communicate as well in Egypt and have made many costly mistakes in the process. They managed to alienate any allies, ignoring rising discontent, focused more on consolidating their powers than using the powers they already had, and used rhetoric that did not sit well with the people. The relative success of the Tunisia revolution is due to the “highly innovative pact between secularist and Islamist” that put the affairs of the people first and eased all concerns from the elites during the transition period. Egyptian islamists offered no assurances to the opposing parties, and therefore no need for their inclusion into the government (Brownlee 2015).

As we have seen in this chapter, Libya failed the completion stage of the post revolution government because its democratically elected government did not have de facto authority to enforce the will of the government, leading to ineffective governance. Egypt also failed even though it has completed a democratically elected government because it has failed to maintain that government and regressed to a military dictatorship. Therefore, both Libya and Egypt have resulted in ineffective governance. Tunisia has been able to produce a democratically elected legislative and executive in just ten short months. In addition, the inclusive government, the cooperation between islamist and secularist, the lack of interference by the military, and the cooperation by the elites made it possible to maintain the current government as an effective entity to allow democracy to succeed (Brownlee 2015).

The following table summarizes the current state of government effectiveness in all three nations from the revolution to the present. Only Tunisia has created a democratic government with the capacity to rule and has maintained that government until present.

	<b>Role of Opposition in interim government</b>	<b>Is the elected government established</b>	<b>Does the government have authority?</b>	<b>Did the elected institutions hold?</b>
<b>Egypt</b>	Limited. Executive and legislative powers are claimed by the Supreme Council of Armed Forces. Electoral rules are set by the Military-led interim government with oversight by the judicial bodies.	Partially. Parliamentary elections completed in Jan 2012 and abrogated in Jun 2012. Presidency claims legislative authority in Aug 2012	Yes	No
<b>Tunisia</b>	Significant. The oppositionists claimed significant de facto powers through the High Commission for the fulfillment of Revolutionary Goals	Yes. October 2011 elections to the constituent assembly gave rise to a democratically elected legislature and executive	Yes	Yes
<b>Libya</b>	Total. Foreign imposed regime change resulted in the total replacement of Qaddafi loyalists in the government	Yes. July 2012 elections to the General National Congress gave rise to democratic legislature and executive.	Limited. Significant presence of militia throughout the country; secessionist threats in the East.	Yes. Chamber of Deputies elected in Jun 2014 replaces General National Congress 2012

Table 1: summary of effective governance.



*Government Effectiveness data:*

The following data presents the WGI index percentile of Government Effectiveness over a span of four years covering the year before, during and after the revolution

Government Effectiveness	Egypt	Libya	Tunisia
2010	43.06	12.92	63.16
2011	36.97	6.64	55.92
2012	24.88	5.26	55.50
2013	19.62	4.78	55.02

Table 2. percentile trends in government effectiveness

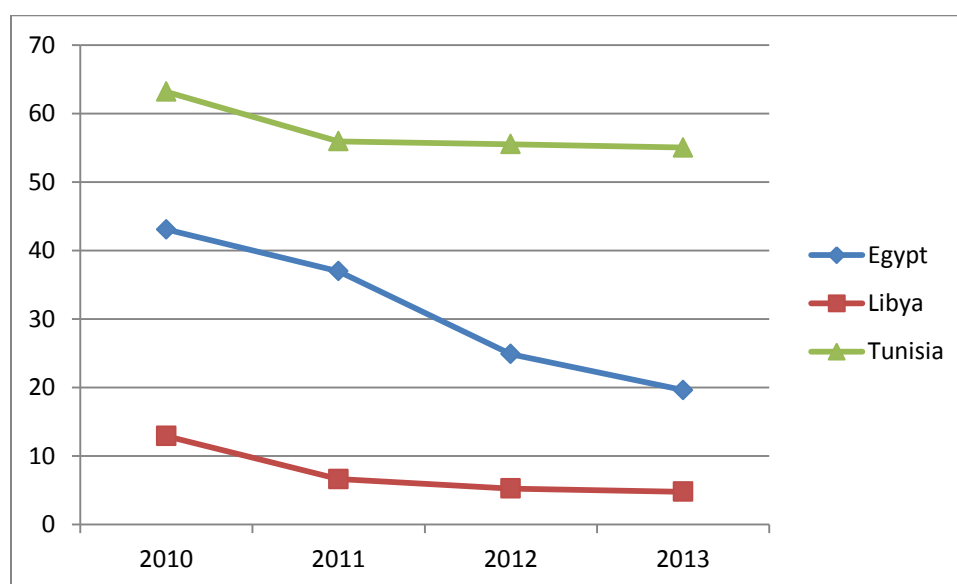


Figure 2. Government Effectiveness

**Results:**

Line graph shows a sharp decline in government effectiveness for Libya and Egypt and a relatively constant score for Tunisia since the end of the revolution in 2011. Tunisia is currently at a percentile score of 55, better than the world average. Egypt and Libya are currently in the 25<sup>th</sup> percentile when compared to the world scores. Effective Governance is divided into two components: completion and maintenance. Libya failed the completion state of its democracy because the state lacked the capacity to enforce the will of it elected representatives. The state is

currently unofficially ruled by different factions in autonomous regions of the country. Egypt and Tunisia finished the completion phase, however, Egypt failed the next phase, which is the maintenance phase. There are several reasons for Egypt's failure. Some of these include: procedural deficits, such as lack of transparency in decision making, tight deadline for creating a new charter, the lack of attention towards inclusion of minority and secular groups in the transition process by the Supreme Council of Armed Forces, and interference of the military. For all these reasons, Egypt failed the maintenance phase, while Tunisia succeeded.

### Chapter 3

#### Freedom of Expression, Voice and Accountability:

The next hypothesis that will be discussed is that freedom of expression and human rights is what allowed Tunisia to maintain its democracy, while Egypt and Libya failed. For this hypothesis to succeed there should be an increase in laws and policies to promote freedom of expression in Tunisia, and a lack of protection of these rights in Egypt and Libya.

According to Freedom House, the Middle Eastern region has always had the lowest Press freedom scores. The Arab Spring did not seem to make the leaps of progress that it was expected to make in terms of civil liberties, although some improvements were made. The MENA region has reached a score of only 5% freedom in civil liberties and only 2% freedom of the press.

According to the Freedom house scores, Egypt is currently designated as “Not Free” in its civil liberties, including a “Not free” for the press and “partly free” for the internet. Libya also has an overall designation of “Not free” with a “Not free” for the press and “Partly free” for the internet. Tunisia received an overall designation as “partly free” in its civil liberties and “partly free” for both its press and internet as of 2014. The following table shows the numerical ratings received by each country with 1 being the most free and 7 being the least free. Egypt has also regressed in its freedom rating from 2013 to 2014 where it was moved from “Partly free” to “Not Free”

	Designation 2013	Designation 2014	Civil Liberties Score
Egypt	Partly Free	Not Free	5
Libya	Partly Free	Not Free	5
Tunisia	Partly Free	Partly Free	3

Table 3. Freedom house ratings in 2013 and 2014

The freedom house also rated the amount of violations to the internet and digital freedom with a score of 40 being the worst in the year 2014. Egypt received 33 violations, Libya 21, and Tunisia 20. All three countries fell in the lower 50<sup>th</sup> percentile. As can be seen from this data, there has been little progress made in all three cases towards more civil liberties and freedom of expression. In the case of Egypt, it has actually deteriorated from 2012/13 to 2013/14. Libya also deteriorated from 2013 to 2014 “Not Free” to “Partly Free” (Dunham 2015).

Post-revolution Egypt has been marked by the subsequent devolution of the right to protest. According to an article by Vassefi (2012) Egypt, under President Mubarak did not qualify as a legitimate democracy because of its disregard of the right to peaceful assembly during the Arab Spring, that was provided for in Article 21 of the International Covenant for Civil and Political Rights (“ICCPR”), signed by Egypt in 1981. Even after the ratification of the 2012 constitution, which included the right to protest on paper, has been largely ignored. Egypt’s first violation after the Arab Spring occurred when the Muslim Brotherhood-led parliament passed restrictive laws regarding the notification requirement prior to a protest. In addition the law demanded the route and exact time of protest as well as to avoid any government buildings, which was unrealistic since government buildings were scattered all over the city and were sometimes hard to differentiate. Morsi’s government claimed that these restrictions were only in place to allow the government enough time to ensure protection for the protesters. However, Vassefi argues that these laws were still far more restrictive than what the ICCPR intended (Vassefi 2012).

The second violation occurred during the military-led government’s violent crackdown on pro-Morsi protests during and after the July 2013 turmoil that resulted in President Morsi’s ousting. The military government cracked down on protests even before declaring its excessive emergency rule. “Restrictions on the right to Freedom of assembly in interest of national security

are limited to serious cases of political or military threat to the country as a whole.” The government’s excessive use of force in dispersing peaceful protests was in grave violation of the ICCPR, regardless of its attempted justifications. The military opened fire on peaceful sit-ins and unarmed protestors. The turmoil post revolution led to a string of violations of the legal rights to free assembly (Vassefi, 2012)

In the period since the uprising, where the government was being controlled by the Supreme Council of the Armed Forces, the government was responsible for a “wave of repressive violence associated with its fear that some democratic demands threaten its position and interest” (Falk 2012). The government moved harshly against bloggers, the press, and anyone who dared criticize the military rule. There was a violent crackdown on dissenters and human rights activists that still worked to fulfill the goals of the Arab Spring. The post-coup state was followed by a series of four massacres against peaceful protestors when softer methods for dispersing protests were possible. The government then criminalized the Muslim Brotherhood and anyone who expressed support for them through the media or protest (Falk 2012).

Sisi’s junta, which now runs the country with an iron fist, has been arresting strike leaders, even those unrelated to the Muslim Brotherhood, and killing or criminalizing independent journalists if they dared to offer even the mildest criticism of the government. According to Freedom House, the 2014 constitution contained several promising articles for protection of freedom of expression. “Article 65 guarantees freedom of thought, opinion, and the expression thereof. Article 68 declares that all official state documents and information are the property of the people, who have the right to access such materials in a timely and transparent manner. Articles 70, 71, and 72 all govern the press, providing for many of the rights that support a free media environment” (Karlekar 2013). Yet it did not take long before these laws were

no more than words on paper. Authorities moved quickly to purge any journalists that spoke against the government. They are automatically labeled as “islamists” or “terrorist” even if they are liberals, in order to deny them any protection of the law or basic human rights. They were tried in highly politicized and biased trials and condemned to harsh punishment. The government attempted to “demonize demonstrators peacefully seeking to uphold constitutional rights and demand a return to constitutional government” (Falk 2012).

The loophole around these “protections” is that they can be suspended during times of war or “mobilization”, which can happen at any time. In addition the laws consider defamation to be criminal offense, with a harsh sentence to follow. Yet another loop hole in the text that allows the freedom to crackdown on criticism to the government is the statement “exploit religion in spreading, either by words, or in writing extreme ideas for the purposes of inciting strife, ridiculing or insulting [the Abrahamic faiths] or a sect following it, or damaging national unity.” According to the Committee to Protect Journalists, twelve journalists were arrested as of 2014, with thirteen of which have been in custody since 2013. In a highly publicized case, three journalists (an Australian national, Egyptian national, and Canadian national) from the news media, Al Jazeera, were arrested in 2013 for allegedly spreading false news and aiding the banned Muslim Brotherhood. They were not sentenced until June 2014 and two of the journalists received seven year sentences and the third a ten year sentence despite the fact that very little evidence was presented at trial to incriminate them. There is very little doubt that Egyptian’s right to freedom of Expression has digressed severely during the period after the Arab Spring (Dunham 2015).

Libya’s progress on Freedom of expression immediately after the revolution did not last too long, and in 2013 there has been a series of kidnappings and death threats made against

journalists by militia leaders and other non-state actors. There has been an increase of defamation cases brought against journalists using the old pre-revolution laws from Qaddafi's era. Although the government has made initial attempts to offer more freedom of expression, its lack of control over the Libyan territory has left journalists at the mercy of semi-autonomous militia groups that control different parts of the country. The 2013 legal constitution of Libya has actually offered additional protections for civil liberties. Article 13 says, "freedom of opinion for individuals and groups, freedom of scientific research, freedom of communication, liberty of press, printing, publication and mass media." However, as discussed in the last chapter, the Libyan government simply doesn't have the state capacity to protect its people or protect these rights (Karlekar 2013).

Tunisia's "Partly Free" press status has been due to its relative openness immediately after the revolution. The interim government released jailed journalists, bloggers, and political activists and passed a number of laws to promote and protect freedom of expression. However, by the year 2013, there was much more pressure on journalist and news content by both the government and its opposition forces. Journalists were faced with threats and defamation charges and they responded with strikes and sit ins against the government. The newly formed constitution contains laws that are too vague when dealing with the media and press. The ANC declared in 2012 that defamation would no longer carry criminal charges, however, journalists continued to face defamation charges and arrests (Karlekar 2013).

In an example of violation of the right to freedom of expression, a French-language radio station journalist, Zuhair el-Jiss, was charged with defamation after moderating a program where a Lebanese political commentator accused Tunisian president Moncef Marzouki of receiving payments from Al-Jazeera. However, the charge against el-Jiss was eventually dropped

while the charge against his commentator remained. In another case of violation of the right to freedom of expression, Nazeer Azouz of the newspaper *Al-Messa*, faced multiple charges of defamation and spreading false news, and was sentenced to 20 months in prison in December (Karlekar 2013).

Clearly all three of our case studies have ways to go in protecting the rights to freedom of expression and civil liberties. It is difficult to say any significant progress was made in these countries towards realizing these rights, although it would appear otherwise on paper. Many laws, clauses, and declarations, were passed in affording additional rights to its citizens, while many harsh pre-revolution laws were repealed. However, events on the ground appear to tell a different story from what can be seen from the examples and the deteriorated rating from Freedom house from 2012 to the present. Therefore, it would be implausible to believe that protection of freedom of expression and accountability is the reason for Tunisia's success with democracy and Egypt/Libya's failures.



*Press Freedom, Voice, and Accountability Data:*

According to the World Wide Governance indicator, this index measures freedom of expression, freedom of association, free media, and the degree to which authorities attempt to enforce these freedoms. The following data presents the WGI index percentile of Press freedom and accountability over a span of four years covering the year before, during and after the revolution.

<b>Press Freedom, Voice and Accountability Percentile</b>	Egypt	Libya	Tunisia
2010	13.74	2.84	9.95
2011	14.55	6.10	35.68
2012	26.54	20.38	42.18
2013	18.01	19.91	44.55

Table 4. Percentile trends in Press freedom, voice and Accountability

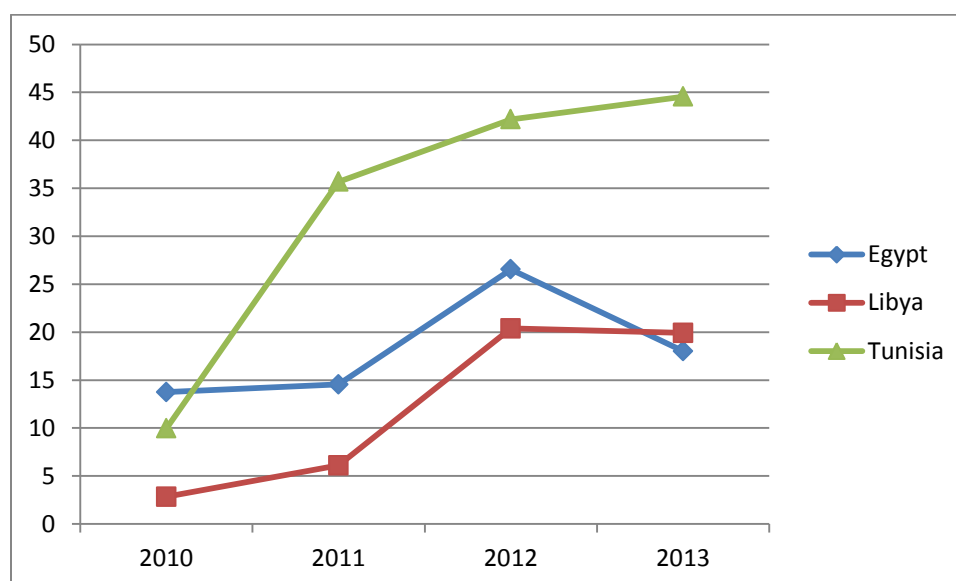


Figure 3: Press Freedom, Voice and Accountability Percentile

Line graphs show a sharp increase of freedom of expression in all three case studies until 2012. In 2013, Tunisia continues to increase, albeit at a much slower rate, while Egypt decreased and Libya remained consistent. All three countries rolled out many new laws and protections for freedom of expression rights, which accounts for the elevated initial scores. However, as

discussed above, many of these protections proved to be only words on paper and all three countries still remain in the lower 50th percentile when compared to the rest of the world. Egypt experienced a sharp decline in 2013, which can be attributed to the rule of the SCAF. Libya remained consistent. When looking at freedom house ratings for all three countries in Press freedom, Egypt and Libya declined from Partly Free in 2012/2013 to Not Free in 2013/2014. However, the rankings of Civil Liberties for all three countries remained consistent from 2012/2013 to 2013/2014. Tunisia had a score of three (with 1 being the best), while Egypt and Libya both had scores of 5. Although Tunisia scored better than average, the lack of improvement shows that some of these new laws haven't been applied on the ground to their fullest potential. Ultimately more data needs to be collected in order to determine if the trend in World Bank percentiles are declining (or increasing) in Tunisia' case, or is 2013 simply an outlier in a generally increasing trend

## Chapter 4

### *Control of Corruption*

The next variable that this paper will address is the control of corruption. Controlling corruption is an important aspect of democracy because it means that there are strong enough checks and balances in place to prevent rent-seeking behavior. As previously explained in Chapter one, no democracy can succeed with high levels of corruption. So the next question is: is Control of Corruption the reason for Tunisia's success and Egypt and Libya's failure? For this hypothesis to be true there must be a decrease or a constant in the levels of corruption after the revolution in Tunisia and an increase in Egypt and Libya.

Corruption was one of the main drivers that led up to the Arab Spring in all three case studies. It was deeply rooted in Mubarrak, Ben Ali, and Gaddafi's regimes. Bribes, embezzlement, stealing, and other rent-seeking behavior has pushed the brink to revolution. It has been difficult for the Interim governments to reverse these policies. According to Freedom House's Countries at Crossroads control of Corruption ratings 2012, Egypt scored a 1.7 out of a total 7 points (with 7 being the best and 0 the worst). Libya received a score of 0.69 out of a total of 7 points. Tunisia earned a score of 3.48 (Tucker 2012).

High levels of corruption have always been a normal part of the lives of Egyptians. This includes everything from bribery to facilitating basic governmental transactions through personal networks, which impacts how the government performs its services. Towards the end of Mubarrak's regime, his Prime Minister, Ahmed Nazif, embarked on a series of audits and regulations in order to limit money laundering and regulate banks. He passed several laws to hold government officials and banks accountable. Ironically enough, the movement towards control of corruption slowed down significantly once the Supreme Council of the Armed forces

(SCAF) came to power after the revolution. It has slowed the introduction of additional reforms aimed at increasing transparency and controlling corruption. According to Transparency International, Egypt dropped from a rank of 98 in 2010 to 112 in 2012 out of 183 countries in terms of its control of corruption, with 1 being the best and 183 being the worst. The SCAF's lack of attention to this issue has made it impossible for reforms to take place. According to Freedom House, until a civilian government takes control, no improvement can be seen in accountability or control of corruption under a military regime (Tucker 2012).

The SCAF has overseen the prosecution of high profile corruption cases; however, many believe that these prosecutions are only a mean to eliminate political rivals. It is believed that the SCAF will purposely prosecute cases against those that threaten to topple its businesses in the country. Many of Mubarrak's business associates were put on trial while those with close ties to military companies were overlooked. Additional corruption charges were brought against the former minister, president, their families, and associates. "The current anticorruption drive remains selective and lacks the legal and institutional framework needed to ensure impartial justice in ongoing and future cases" (Tucker 2012).

The Libya's lack of civil and political rights has made it a breeding ground for corruption and lack of transparency. The decision makers have the ultimate control over the country's wealth and resources, such as oil, which offers plenty of opportunities for personal enrichment. There is no inspection of distribution of wealth by public authority, no inspection of public spending, and no audit of personal spending. As previously discussed, Libya's lack of unity and complete control over its territory has made it easier for rent-seekers to take advantage of the situation. French historian Michel Seurat described the perception of the government "as that of a very successful tribe that continuously extends control over its distributive mechanisms rather

than as a political instrument serving the society and guaranteeing the public good”. Although corruption takes place frequently in Libya, it is a lot more subtle than it is in Egypt and is often perceived to be a normal part of the political process, given its tribal background. According to Transparency international, “Contracts are usually the result of the culmination of personal relationships involving family members or friends with shared political, military, or diplomatic interests. Commercial relationships among groups with similar interests are seen as completely legitimate and in no way related to corruption”. This system of informal patronage required these associations and networks for political functions (Tucker 2012).

The biggest area of corruption is the oil industries. The oil and gas sectors are under surveillance of the revolutionary committee. Revenue from the sales is unclear and its spending is hidden from the people of Libya. Corruption in the oil sector has become an important part of the control of hydrocarbon sales. There is no law of public records on state spending and revenue generation. The main obstacle in battling corruption is creating an institution that will assess state resources and monitor spending (Tucker 2012).

In 2015, the Libyan administration is still being accused of mismanagement of the country’s resource and revenues in order to for personal gains. According to Borzou Daragahi for the Financial Times, “The allegations include officials being pressed to buy weapons from France and appoint people to key positions of economic power, as well as gross - mismanagement of the country’s oil wealth, which accounts for more than 90 per cent of total revenues”. The “official” government of Libya, that of Abdullah al-Thinni in the east, and that of the Islamist-leaning Libya Dawn alliance in the west, have both claimed complete control over the country and its resources. This makes management and transparency over oil revenues almost impossible to maintain (Daragahi 2015).

Tunisia faced an initial decline in its control of corruption with the election of the new post revolution government in 2012; however, its score seemed to level off since then. In December 2011 the president of the Tunisian Accounting Office, Abdelkadr Zgoulli, pledged a stronger commitment to transparency and control of corruption by publicizing the government's spending, pledging to regularly inform Tunisian citizens of government expenditures. He said, "Tunisia's accounting office, aims to contribute to good governance, transparency and accountability in the new democratic Republic of Tunisia." The accounting office has taken several measures to ensure this control of corruption. The office has made available to the public the transparent audit of 2011 election campaign (Tucker 2012).

The government has taken some steps to limit corruption. In 2012, the NCA appointed Abderrahman Ladgham to the newly created post of deputy prime minister for anticorruption. It has also established an economic committee to investigate anticompetitive economic practices and corruption in order to reaffirm its commitment to the international community. The NCA also revived the Committee against Corruption and Misappropriation of Funds that was appointed with the task of investigating missing and stolen funds from the Ben Ali's regime. The NCA expanded the role of the organization in addition it created collaboration with the Tunisian Central Bank, the Ministry of Justice, the Ministry of Foreign Affairs, and the Ministry of Human Rights and Transitional Justice. In addition, on April 16, 2012, Deputy Prime Minister of corruption, Abderrahman Ladgham, signed a convention with UNDP to provide support on Tunisia's anticorruption campaign in order to meet international standards. This indicates a shift towards battling corruption and increasing transparency by both Interim governments. Tunisia has also been open and cooperative with NGOs, such as Transparency International, and IOs to propose recommendations based on international transparency standards (Tucker 2012).

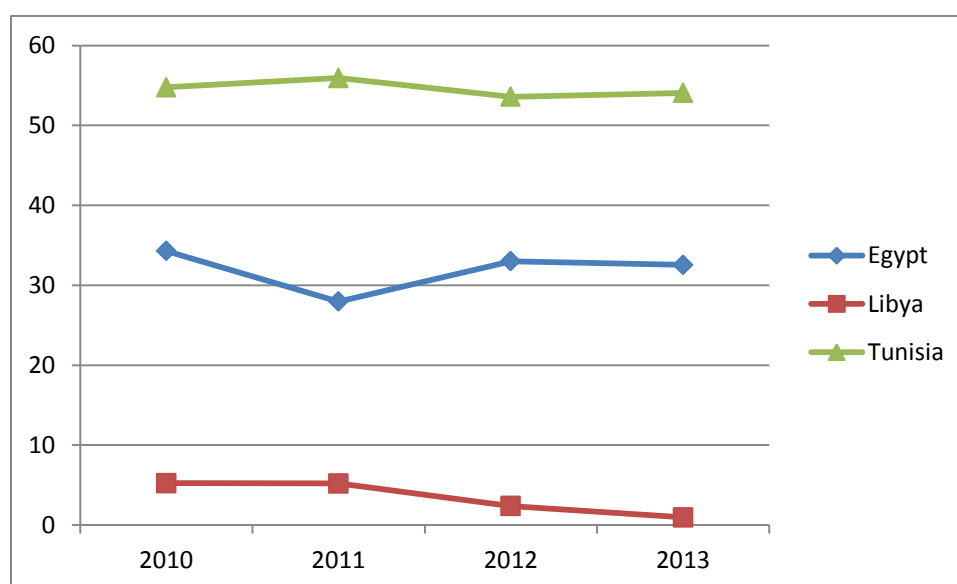
Very little progress has been made towards battling decade long corruption by the previous governments in these nations. Although some attempts have been made, especially by Tunisia, it is much early to see the pay off from these changes. Today, all three nations still struggle with controlling corruption within their nations, while trying to solidify the legitimacy of the new governments. It would be difficult to believe that Control of corruption is the reason for Tunisia's success and Egypt and Libya's failures

*Control of Corruption data:*

The World Wide Governance Indicator defines corruption as the extent to which public power is exercised for private gain, as well as the domination of the state by elites and private interests.

<b>Control of Corruption</b>	Egypt	Libya	Tunisia
2010	34.29	5.24	54.76
2011	27.96	5.21	55.92
2012	33.01	2.39	53.59
2013	32.54	0.96	54.07

**Table 5. Percentile for Control of Corruption.**



**Figure 4 Control of Corruption Percentile**

As can be seen from the percentile data from the World Bank's index of governance, the control of corruption index has remained relatively consistent before and after the revolution for both Tunisia and Egypt. This indicates no progress was made towards controlling corruption in these countries. Libya experienced a slight decline by 2013; however, it was only in the 5<sup>th</sup> percentile to begin with. Libya's lack of control of the state can account for the decline. All three nations have been an able to be transparent with their citizens. There has been a lack of oversight on spending and preventing rent-seeking behavior.



## Chapter 5

### *Rule of Law*

The next variable is the strength of Rule of Law. Could the enforcement of Rule of Law be the reason for the success of Tunisia and the failure of Egypt and Libya? Worldwide governance indicator defines “Rule of law” as the degree of which agents have confidence in and abide by the rules of society. According to Chertoff of the Harvard International Review, the obsessive focus on free elections has distracted the public from another important aspect of a democratic society: an independent judiciary and the rule of law. The framers of the new constitution in these countries and the people themselves “need to construct an impartial, fair, independent, and transparent judicial system and a culture of confidence in their courts in order to foster a robust civil society...The development of impartial and independent courts is a prerequisite to the rule of law”. For this hypothesis to be true, Tunisia should have increase or constancy in enforcement of the Rule of Law, while Egypt and Libya should show a decrease (Chertoff 2012).

The second half of the Mubarrak’s administration in Egypt was marked by a decline in judicial independence. Mubarak made every attempt to pack the courts with complacent judges that are loyal to his regime and a decline in procedures of due process. He tried to extend legislative power over the judicial branch and used emergency law to in order to bypass the judiciary altogether. The SCAF seemed to inherit those same traits from Mubarak. It attempted to circumvent the judiciary rather than confront it directly (Chertoff 2012).

The SCAF turned a blind eye to the treatment of protesters after Morsi’s ousting, despite pressure from the international community to try state officers responsible for the shooting of unarmed protestors. It has primarily used military court systems for trials, rather than civilian

courts, for protesters and dissenters, in violation of the constitution which states that military courts can only be used on crimes that occur within the vicinity of military barracks, camps, institutions, factories, or shops. Only under this circumstance can military tribunals be used. However, under the emergency rule declared by Mubarak in 1981, he has given the military courts the ability to try any crime. The SCAF has continued that legacy by allowing the courts to try “Thugs”. Any one accused of being a thug, which can extend to any behavior unfavorable to the SCAF, can be tried in military courts. The single most frequently targeted group and subjected to military trials under the SCAF is the Muslim Brotherhood. It is believed that in 2012 alone, the military court handled about 12,000 civilians, that’s a six fold increase in trials from the Mubarak’s 30 year rule in just seven month. Of those civilians, 8,071 were convicted and 1,225 people received suspended sentences. Ironically enough, all of Mubarak’s former government officials were tried in civilian courts. Fair trial has only been allowed to the corrupt Mubarak’s officials that motivated the Arab Spring in the first place (Tucker 2012).

After facing international pressure and a number of domestic lawsuits, spokesman for the SCAF, Field Marshall Mohamed Hussein Tantawi, declared that military trials would end expect those in violation of martial law. Although there was a decrease in the number of civilians sent to military trials, it certainly has not stopped. Detainees that were now tried in civilian courts faced little legal safe guards. As the head of the “No to Military Trials for Civilians” campaign claims, civilians were often abducted and tortured before being sent to civilian trials. There is no official legal guarantee for civilians to be tried in civilian courts; therefore, the SCAF can start military trials again at any time (Tucker 2012).

In Libya, the changing ruling bargain has not been easy. In Vandewalle 2014, Ruling bargain is an implicitly or explicitly defined rules that “delineate the political and economic

rights, duties and obligations governing a relationship between those in charge of the state and individuals within the state subject to their governance”. They can be made explicit or can be intentionally left vague. They can develop through custom or be imposed by an authoritarian ruler. In Gaddafi’s era, the ruling bargain was designed to limit the public voice by essentially leaving them depoliticized through a divide-and-conquer plan. As explained in Chapter 3, Gaddafi’s notion of *Jamahiriyya* denied any role for modern state institutions as a guideline for the country. Qaddafi’s Libya was of low quality: “institutions were bureaucratically inefficient and riddled with corruption and patronage, and they often operated in the absence of clear rules of law” (Vandewalle 2011).

Gaddafi was famous for secret political trials in Libya through the People’s court, which handed out large amounts of the death penalty. In 2005, Gaddafi announced that he is dissolving the People’s court, the first step towards strengthening the judicial court and rule of law. Since then, the judiciary has been plagued by many shortcomings. First, Libya’s system doesn’t have acceptable human rights laws when compared to the international standards. Second, government authorities have high influence on court officials, which they use to obtain verdicts in their favor. This makes it impossible to get an impartial trial in high profile cases. Third, the courts lack standards for due process and is perceived by the population to be corrupt. Fourth, the court has no authority over the regime, and the regime is not bound to comply with court rulings. This gives government officials a complete pass against indictments since the government rises above the judiciary. These reasons make the court inefficient in its purpose of upholding the rule of law (Tucker 2012).

Libya’s new ruling bargain, or at least according to campaign promises of the various candidates, Libya will become more transparent and subjected to higher accountability under rule of law. The transition from these loose informal relationships to actual codified rules after

the Qaddafi regime has not been easy. It would be expected that citizens would want to trade up for more formal rules in order to gain greater security and predictability. However, when it came to actually enforcing these new rules, it became more important for different groups to want to protect their own entitlements at the expense of the collective welfare of the nation. This muddied the water when it came to altering the previous ruling bargain and enforcement of rule of law (Tucker 2012).

Ben Ali's government in Tunisia has always influenced the judiciary branch and pressured politically motivated verdicts. The Interim government made progress by releasing political prisoners and dissenters; however, it has done little beyond that. The Tunisian government is still closely aligned with the judiciary; making the independence of the judiciary questionable. The Supreme Council of Magistrates (SCM), which is headed by the president of the republic and minister of justice, has the power to freely select and dismiss judges, giving it a lot of leverage over the courts (Tucker 2012).

The legacy of Ben Ali on the Judiciary continues to hinder the effectiveness of the rule of law in Tunisia. The Judicial police lack the capacity to impartially investigate crimes and cases. The internal police was used to collect information through informants on people that constitute an opposition to the state. That information was then used against them in arbitrary charges. The absence of independence of the judiciary has allowed the states to pass laws to protect its own powers rather than the good of its citizens by changing laws in electoral codes to limit opposition, modify the Constitution, and lift presidential term limits to expand its executive powers.

The Enahada party established the Ministry of Human Rights and Transitional Justice to address the human rights violations and the corruption from the Ben Ali regime. However, no

steps were taken for deep reforms of the judiciary, and the ministry has instead focused on human rights violations to quell public grievance for immediate retribution to the families of those who died in the Arab Spring. However, the ministry did sign a 3\$ million dollar collaboration with the United Nations and the Office of the High Commissioner to partially fund the judicial reform process. The Association of Tunisian Justice has been trying to push for the hiring of independent judges and dismissal of those from the Ben Ali regime. They haven't been able achieve any significant reforms but they continue to push for it (Tucker 2012).

Property rights laws have traditionally been very strong in Tunisia. In fact, according to Freedom House ratings, Tunisia has some of the best property safeguards in the world under Ben Ali. However, by 2011, property rights have decreased rapidly, dropping below the global average for the first time since in more than a decade. No new safeguards on property rights were created, and increase instability during and post the revolution have led to inability to in force property laws (Tucker 2012).

All three nations struggle with maintaining an independent judiciary that can interpret laws according to the constitutions. No changes have been made to improve the rule of law. In fact, all three nations have decreased some of the laws that protect citizens, such as property rights. It is pretty clear that the enforcement of the Rule of law is not the variable that has allowed Tunisia to maintain democracy since Tunisia's it has plummeted since Ben Ali's regime.

### Rule of Law data

Worldwide governance indicator defines “Rule of law” as the degree of which agents have confidence in and abide by the rules of society.

Rule of Law	Egypt	Libya	Tunisia
2010	51.18	18.96	59.72
2011	43.19	12.68	51.64
2012	39.81	12.80	50.71
2013	34.12	6.16	48.82

Table 6. percentile scores for Rule of Law

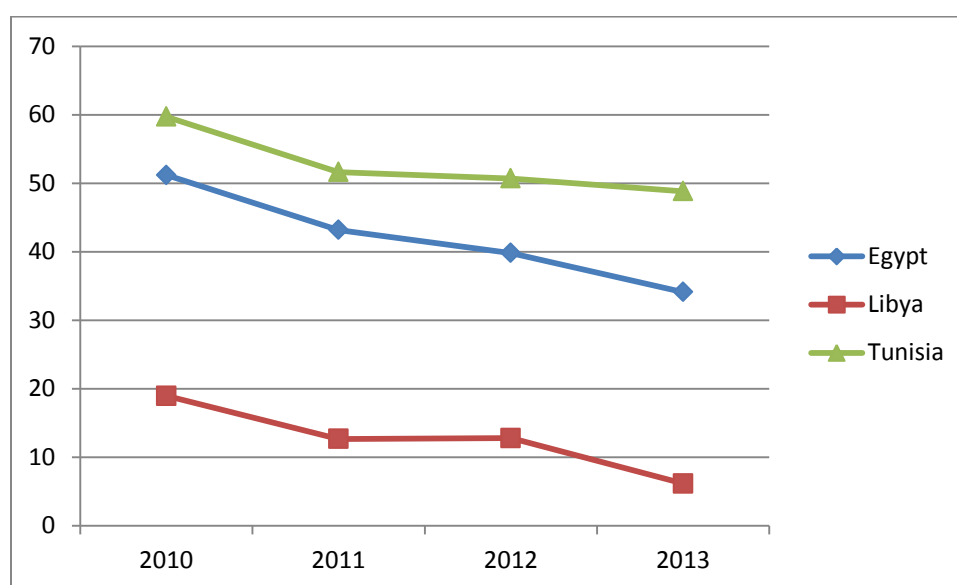


Figure 5 Rule of Law Percentile

As can be seen from the above data, Tunisia Libya, and Egypt have rapidly declined in their Rule of Law percentile. In fact, both Egypt and Tunisia were in the upper 50<sup>th</sup> percentile before the revolution. Since then, both nations fell into the lower 50<sup>th</sup> percentile. Libya also further deteriorated to a mere 6.16 from the 18<sup>th</sup> percentile, one third of its score in only three years. Objective rule of law has deteriorated since the end of the revolution. In all three nations, as discussed above, lack an independent judiciary that can interpret laws equally and uniformly. Tunisia had the strongest safe guard for property laws under Ben Ali’s government, but has since

the revolution dropped below the global average. Libya has been unable to impose laws on the entire country due to the fact that its official government lacks control over the whole nation. Each different faction wants laws that serve its group. Egypt under the SCAF has seen an increase in military trials, arrest without warrants, torture and abuse in prison, and the lack of even application of law among all of its citizens.

## **Chapter 6:**

### *Results:*

As we look at the qualitative and quantitative data from the previous four chapters we draw a few conclusions. First, the levels of control of corruption for all three case studies have remained constant before and after the revolution. According to Freedom House ratings and World Wide Governance percentile scores, little changes have been made to better control corruption. In Tunisia, the new position created of Deputy Prime Minister for Anticorruption, has yet to bear any fruit. Libya's lack of state capacity has led to spikes in its corruption and is now in the 1<sup>st</sup> percentile. Its lack of a central force to govern and maintain control over its wealth and oil revenue has led to increase rent seeking behavior and lack of transparency. It is safe to exclude Control of corruption as the factor that has allowed to Tunisia's democracy to succeed, while Egypt and Libya failed since all three nations have remained constant since the revolution, with a slight decrease in Libya.

The second factor that was addressed is the Rule of Law. Ironically enough, the World Bank scores of all three nations have actually plummeted since the pre-revolution governments.

All three nations are now in the lower half of the world scores. Tunisia went from having some of the strongest property rights scores to ranking below the global average since Ben Ali has been removed from power. A dependent Judiciary and unequal application of laws continue to be a problem for these three nations. As mentioned in Chapter 5, no democracy can take place without an independent judiciary which is the foundation for rule of law. Therefore we can exclude Rule of law as the factor that allowed Tunisia to succeed since all three nations have decreased scores since the revolution.

The Third factor that was addressed in Chapter three is Government Effectiveness. After the initial drop during the revolution, Tunisia seemed to level off at a constant percentile score from the World Wide Governance index of 55, better than the world average. Egypt and Libya, on the other hand, seemed to be continuously decreasing, with Egypt at a much faster rate. Libya lacked the state capacity to finish the completion phase of its democracy, while Egypt failed at maintaining its new democracy and collapsed into military rule. Therefore, Effectiveness of Governance is the reason for Tunisia's Success with democracy and Egypt and Libya's subsequent failure.

The Fourth factor that was addressed in this paper is Voice and accountability, which includes civil liberties. This variable has been a bit more complex. Immediately after the revolution, all three countries saw soaring percentile scores in civil liberties until 2012. By 2013 however, Egypt plummeted more than 10 percentile points, while Libya remained almost the same. Tunisia's score continues to rise, albeit much slower. Since Libya's score remained consistent in 2013, it would be difficult to attribute Tunisia's success to voice and accountability since both Egypt and Libya should have decreasing scores. At the same time, Egypt and Libya were continuously rising for the first three years since the revolution, so 2013 could simply be a



fluke. Unfortunately, the World Wide Governance index from the World Bank does not extend beyond 2013, making it difficult to draw a conclusion for this index. According to freedom House designations, which are given in 2013 and 2014, both Libya and Egypt have declining press freedom ratings from “Partly free” to “Not Free” while Tunisia has remained as “partly free” in 2013. This makes it difficult to exclude Voice and Accountability because all three nations saw temporary improvement immediately after the war, which then declined in Egypt and leveled off in Libya. We needed for both cases to continuously decrease in order for this variable to answer our topic question. Unfortunately the lack of more recent 2014/2015 data makes it difficult to rule out Voice and Accountability.

### **Conclusion:**

In 2011, the rise of the Arab Spring was hailed as a force of change in the Arab speaking world. It was expected to bring about sweeping changes in the decades of dictatorial rule. However, three years later, it seems a bit naïve to have believed that drastic changes can take place in such a volatile region. “The idea that the self-immolation of a frustrated fruit seller in a dusty Tunisian back-water could change the fundamental nature of Arab politics seems remarkably quaint, even naïve” (Brownlee, 211). The uprising began in 2011 due to unemployment, the lack of political inclusion, corrupt governments, poverty, decline of the economy, and the lack of basic human rights. The government of Tunisia and Egypt were defined as “Electoral Authoritarian systems” in 2006 (Sorensen 2008). Libya was considered an Authoritarian regime. Most nations that did experience regime change collapsed into chaos or reverted back to a different form of dictatorship. Only one nation can be said to have managed to establish a democracy in the midst of the revolutionary storm, and that country is Tunisia. What

this paper studied is why Tunisia has succeeded in establishing and maintaining a democracy when Egypt and Libya failed.

In the words of Joseph Schumpeter, democracy is defined as “enjoying equal rights and equal obligations... [citizens] should be free and equal in the process of deliberation about the condition of their own lives and in the determination of these conditions, so long as they do not deploy this framework to negate the rights of others”. The minimum components of democracy that were deployed in this paper: **Government Effectiveness** (elected, inclusive, participatory, representative), **Control of Corruption** (Absence of massive fraud), **Press/ Voice/ Accountability** (effective guarantees of civil liberties; including freedom of speech, assembly, and association), and **Rule of law**.

The hypothesis of this paper was correct, government effectiveness is crucial in establishing and maintaining a democracy. Tunisia saw consistent results in its government effectiveness score since the end of the revolution while the other countries saw a decrease. Tunisia’s ability to not only hold elections for an executive and legislature, but also maintaining the government until now has allowed it to succeed in creating a democracy. Cooperation between Islamist and secularist in the government, through inclusion of all minority groups into the electoral seats has allowed, for compromise to take place. The lack of interference by the military, and the cooperation by the elites, has also helped foster a democratic government. It is unclear, with only four years after the revolution, if voice and accountability played a role in maintaining democracy in Tunisia. Although the Tunisian government created many new laws to protect civil liberties and freedom of expression, Egypt and Libya also did the same, and yet they did not fare as well. Therefore it is difficult to attribute Tunisia’s new democratic government to Voice and accountability, although it might have played a part in addition to government

effectiveness. In a famous study Lipset, the wealthier a nation is, the more likely it will be able to create a democracy. However, through this thesis, it was concluded that even though wealth might make the process smoother, it is government effectiveness that fosters and maintains democracy. For example, Libya has failed at achieving democracy even though it is wealthy oil producing state. Effective governance through inclusive government institutions is more likely to foster post-revolution democracy.

It is important to study what factors promote democracy since democracy has been linked to peace and development. The debates on the benefits of democracy continue, with critics of democracy claiming that the links between democracy to development and peace are unfounded. Promoters of democracy explain that the connection between democracy and development is because by investing in welfare and projects to help citizens, a country is investing in human capital. This will help large groups of people and simultaneously improve standard of living. Many economists advocate this development strategy that emphasizes the human necessity because it makes it possible to have growth and welfare simultaneously. Second, only democracy can provide the stability and order that is needed to promote economic development. Authoritarian regimes usually mean interference in the lives of people that make it difficult to secure that predictability needed for growth. Without civil and political rights from democracy, citizens would not feel secure to pursue economic goals. Third, a strong state is needed to become a leader in economic development. However a strong state doesn't necessarily constitute the need to be an authoritarian state. A democratic state usually constitutes legitimacy which can often allow it to become a strong state (Sorensen 2008).

The link between democracy and peace has been one of the most researched topics for political science in recent history. Kant (1795) claimed that there is a natural tendency for

nations to form as republics because it bestows legitimacy on the political leaders and offers support for that state, which gives it a greater advantage in fighting off threats. Democracies have the norms of peaceful resolution of conflicts. This creates a peaceful relationship among other democratic states that is grounded under the same moral foundation. In addition, the economic ties between democratic states foster the cooperation among these states. For these reasons, democracy has been linked to peace. Since the advantages of democracy have become known, the next step in the process was to understand what specific factor in post revolution nations promotes the formation of a democracy (Sorensen 2008)

Very little research has tried to tackle the aftermath of the Arab Spring in understanding why one nation would be able to create a democracy, while others fail post-revolution. This is what this paper has accomplished. In the case of the Arab Spring in the Middle East, it is still much too soon to be able to truly understand the long term effects it will have on the nation and the MENA region. The short coming of this paper is that four years after the revolution is not enough time to be able to fully understand the fate of the six nations that undergone the revolutionary process. Much more data will need to be collected over the next couple of years in order to further observe trends to draw a definitive conclusion. For future research, more data needs to be collected on the importance of voice and accountability in the formation and maintenance of a new democracy in the Middle East.

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